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6  
7 IN THE UNITED STATES DISTRICT COURT  
8 FOR THE EASTERN DISTRICT OF CALIFORNIA  
9

10 UNITED STATES OF AMERICA, ) CASE NO. S 04-79 LKK  
11 )  
12 Plaintiff, )  
13 v. )  
14 ) **AMENDED** ORDER EXCLUDING TIME  
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16 The time beginning December 6, 2005 and extending through  
17 December 13, 2005 is ordered excluded from the calculation of  
18 time under the Speedy Trial Act. There are two independently  
19 sufficient grounds for the exclusion. First, a time exclusion is  
20 appropriate for transfer of proceedings. 18 U.S.C. §  
21 3161(h)(1)(G).

22 Second, the ends of justice are served by the Court  
23 excluding such time, so that counsel for the defendant may have  
24 reasonable time necessary for effective preparation, taking into  
25 account the exercise of due diligence. 18 U.S.C. §  
26 3161(h)(8)(B)(iv). Specifically, counsel for the Defendant  
27 requires additional time to evaluate a proposed plea agreement in  
28 this case. The Court finds that the interests of justice served

1 by granting this continuance outweigh the best interests of the  
2 public and the defendant in a speedy trial. 18 U.S.C. §  
3 3161(h) (8) (A) .

4 The time between November 29, 2004 and December 6, 2004 was  
5 also properly excluded for both of the same reasons set forth  
6 above.

7  
8 DATE: December 7, 2005

/s/ Lawrence K. Karlton  
HON. LAWRENCE K. KARLTON  
U.S. District Judge